

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1286

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-24-8-4 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2006]: Sec. 4. (a) Except as provided in subsections (c) and (d), the bureau shall:

- (1) issue a motorcycle operator's license; or
- (2) validate an operator's, a chauffeur's, or a public passenger chauffeur's license for motorcycle operation upon a highway by endorsement;

to a person who meets the conditions in subsection (b).

(b) A person must meet at least one (1) of the following conditions to obtain a license or validation under subsection (a):

- (1) Satisfactorily complete an approved motorcycle driver education and training course and pass the written test required by this section.
- (2) Satisfactorily complete the written test, hold a motorcycle learner's permit for at least thirty (30) days, and satisfactorily complete the operational test.
- (3) Hold a current motorcycle operator endorsement or license from any other jurisdiction and successfully complete the written test.

(c) The bureau may not issue a motorcycle operator's license to an individual less than sixteen (16) years and thirty (30) days of age.

(d) If an applicant for a motorcycle license or license endorsement

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is less than eighteen (18) years of age, the bureau may not issue a license or validate a license described in subsection (a)(2) if the applicant is ineligible under IC 9-24-2-1.

(e) The bureau shall develop and implement both a written test and an operational skills test that must be designed to determine whether an applicant for a motorcycle operator's license or endorsement is competent to operate a motorcycle upon a highway. The written test must be made available at license branch locations approved by the bureau. The operational skills test must be given at locations designated by the bureau. ~~The operational skills test must be given by a certified motorcycle operational examiner.~~ **bureau shall adopt rules by July 1, 2007, under IC 4-22-2 to establish standards for persons administering operational skills tests and the provisions of the operational skills test.** An individual applying for a motorcycle operator's license or endorsement must pass the operational skills test before taking the written exam. If an applicant fails to satisfactorily complete either the written or operational tests, the applicant may reapply for and must be offered the examination upon the same terms and conditions as applicants may reapply for and be offered examinations for an operator's license. The bureau shall publish and make available at all locations where an individual may apply for an operator's license information concerning motorcycle operator licensing or endorsement.

(f) An individual who:

- (1) has held a motorcycle learner's permit for at least two (2) months; or
- (2) holds a temporary motorcycle learner's permit, has successfully completed an approved motorcycle driver education and training course, and possesses a valid operator's, chauffeur's, or public passenger chauffeur's license;

may apply for a motorcycle operator's license endorsement not later than the expiration date of the holder's permit. However, not more than three (3) examinations may be allowed a holder during the period the permit is valid. A holder of a learner's permit or a temporary learner's permit who does not pass the written and operating skills examination during the period for which the permit is valid must obtain a new learner's permit.

SECTION 2. IC 9-29-9-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. ~~(a) The fee for a motorcycle operational skills test administered under IC 9-24-8 is five dollars (\$5).~~

~~(b) The fees collected for motorcycle operational skills tests shall be~~

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~~distributed~~ as follows:

(1) For tests given by state employees, ~~to the fee is five dollars (\$5) and shall be deposited in~~ the motor vehicle highway account under IC 8-14-1.

(2) For tests given by a ~~certified motorcycle operational examiner who is not a state employee; to the examiner; contractor approved by the bureau, the fee is:~~

(A) ~~determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and~~

(B) ~~paid to the contractor.~~

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 9-24-8-4 and IC 9-29-9-12, both as amended by this act, the bureau of motor vehicles shall carry out the duties imposed upon it by IC 9-24-8-4 and IC 9-29-9-12, both as amended by this act, under interim written guidelines approved by the commissioner of the bureau of motor vehicles.

(b) This SECTION expires on the earlier of the following:

(1) The date rules are adopted under IC 9-24-8-4 and IC 9-29-9-12, both as amended by this act.

(2) December 31, 2007.

SECTION 4. IC 9-13-2-20 IS REPEALED [EFFECTIVE JULY 1, 2006].

SECTION 5. An emergency is declared for this act.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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